

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BENFORD DELONEY,  
#323037,

Plaintiff,

Civil Action No. 22-cv-11455  
HON. BERNARD A. FRIEDMAN  
MAG. ELIZABETH A. STAFFORD

vs.

C.O. STEWART, *et al.*,

Defendants.

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**ORDER ADOPTING REPORT & RECOMMENDATION (ECF NO. 32)**

This matter is before the Court on a Report and Recommendation (“R&R”) issued by Magistrate Judge Elizabeth Stafford recommending that the Court dismiss plaintiff Benford Deloney’s complaint with prejudice for failure to prosecute and deny as moot defendants’ dispositive motions. (ECF No. 32).

No party has filed an objection to the R&R and the time to do so has passed. The Court has reviewed the R&R as well as the docket in this case. The Court agrees with the magistrate judge’s analysis and recommendation. Accordingly,

IT IS ORDERED that Magistrate Judge Stafford's R&R (ECF No. 32) is hereby accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that the action is DISMISSED WITH PREJUDICE for failure to prosecute.

IT IS FURTHER ORDERED that the motion to dismiss filed by Corizon Health, Inc. (ECF No. 23) is DENIED AS MOOT.

IT IS FURTHER ORDERED that the motion for summary judgment filed by the MDOC defendants (ECF No. 25) is DENIED AS MOOT.

Dated: April 6, 2023  
Detroit, Michigan

s/Bernard A. Friedman  
Bernard A. Friedman  
Senior United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first-class U.S. mail on April 6, 2023.

**Benford Deloney** #323037  
1263 Forest Hill Ave.  
Flint, MI 48504

s/Johnetta M. Curry-Williams  
Case Manager